

REMARKS

Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on August 4, 2004. The arguments presented in this paper are consistent with the arguments discussed during the Interview.

Claims 1-35 are pending, of which claims 1, 10, and 20 are independent method claims, and claim 27 is an independent computer program product claim corresponding to independent method claim 10.

The Office Action objected to claims 4, 6, 9, 11, 15, 16, 21, 23, 26, 28, and 32 because the use of "and" in a series should be written using "or" in the alternative. As indicated above, Applicants have amended claims 4, 6, 9, 11, 15, 16, 21, 23, 26, 28, and 32 accordingly. Applicants respectfully submit, therefore, that the objection to claims 4, 6, 9, 11, 15, 16, 21, 23, 26, 28, and 32 has been overcome and should be withdrawn.

The Office Action rejected all claims under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,850,517 to Verkler et al. ("*Verkler*").

Applicants' invention, as claimed for example in independent method claim 1, relates to customizing content based on at least one operating characteristic of a mobile client. The method includes assigning a first transform to the first mobile client and assigning a second transform to the second mobile client, the first and second transforms specifically considering one or more operating characteristics of the first and second mobile clients, receiving content from a content server, and altering the content according to the first and second transforms so that the content is compatible with the one or more operating characteristics of the first and second mobile clients, the altered content comprising a first transformed content and a second transformed content. The method further includes establishing a communication link between the mobile gateway and the first and second mobile clients, and sending the first transformed content to the first mobile client and sending the second transformed content to the second mobile client.

Similarly, Applicants' invention as claimed for example in independent method claim 10, also relates to customizing content based on at least one operating characteristic of a mobile client. The method includes assigning a first transform to the first mobile client, the first transform specifically considering one or more operating characteristics of the first mobile client,

receiving content from a content server, and altering the content according to the first transform so that the content is compatible with the one or more operating characteristics of the first mobile client, the altered content comprising a first transformed content. The method further includes establishing a communication link between the mobile gateway and the first mobile client, and sending the first transformed content to the first mobile client. Independent claim 27 recites similar limitations from the perspective of a computer program product.

And finally, Applicants' invention as claimed for example in independent method claim 20, also relates to customizing content based on at least one operating characteristic of a mobile client. The method includes associating content transforms with a first and a second mobile client, the content transforms accounting for one or more operating characteristics of the first and second mobile clients, producing first transformed content and second transformed content based on content from the content server and the content transforms, and providing the first and second transformed content to the first and second mobile clients.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. That is, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP § 706.02. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation. During examination, the pending claims are given their broadest reasonable interpretation, *i.e.*, they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01.

Verkler discloses a communication architecture for a client and server using an agent. Col. 2, ll. 23-25; Fig. 1. The client generates requests for information from the server. Col. 2, ll. 25-26. The agent is coupled to the client through a mobile communication link. Col. 2, ll. 26-27. The agent sends the requests to the server on behalf of and independent of the client and receives information from the server in response to the requests. Col. 2, ll. 28-30. The agent sends the information to the client on behalf of and independent of the server. Col. 2, ll. 30-32. In this manner, the client and the agent operate asynchronously. Col. 2, ll. 32-33. In other words, the agent fools the server into thinking that it is talking to the client even though the client

is communicating over a wireless connection or is not connected at all when information is passed to the agent. Col. 4, ll. 1-11.

The communication architecture also may include a message gateway between the agents and clients. Fig. 4. The message gateway forwards messages from mobile users to their agents and vice versa. Col. 7, ll. 50-52. Message gateway also queues messages intended for a client or agent that are out of coverage, turned off, or otherwise unavailable. Col. 7, ll. 52-56. Message gateway contains all the system-level component configuration information, which allows all components to be self-configuring in order to reduce the risk of installation and user errors. Col. 7, ll. 56-59. Message gateway also may apply system security through user password encryption and message authentication. Col. 7, ll. 59-61.

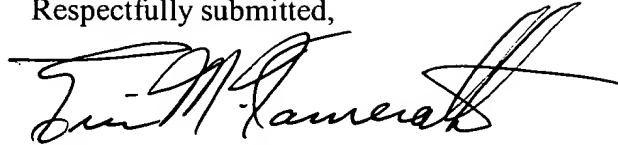
Among other things, however, *Verkler* fail to teach or suggest customizing content based on at least one operating characteristic of a mobile client, as claimed for example in independent claims 1, 10, 20, and 27. The Examiner seemed to concur with this analysis during the Interview and noted in the Interview Summary that the proposed arguments appear to distinguish over the cited art and that the Examiner will update the search upon receiving Applicants' formal response.

Based on at least the foregoing reasons, therefore, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example, in independent claims 1, 10, 20, and 27. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 27th day of August, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric M. Kamerath", with a large, stylized flourish extending from the end of the signature.

RICK D. NYDEGGER

Registration No. 28,651

ERIC M. KAMERATH

Registration No. 46,081

Attorneys for Applicant

Customer No. 022913

EMK:kc
KC0000003030V001